

AMENDED IN ASSEMBLY APRIL 12, 2010

AMENDED IN ASSEMBLY MARCH 25, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1769

Introduced by Assembly Member Tran

February 9, 2010

An act to amend, repeal, and add Section 13001 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1769, as amended, Tran. Elections: payment of expenses.

Existing law provides that all expenses authorized and necessarily incurred in the preparation for and conduct of elections are to be paid from the county treasuries.

This bill would require that expenses incurred on or after ~~October~~ *January* 1, 2009, and before ~~February 1~~ *December 31*, 2010, for elections proclaimed by the Governor to fill a vacancy in the office of Senator or Member of the Assembly, or to fill a vacancy in the office of United States Senator or Representative in the Congress of the United States, be paid by the state.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 13001 of the Elections Code is amended to read:

13001. (a) Except as provided in subdivision (b), all expenses authorized and necessarily incurred in the preparation for, and conduct of, elections as provided in this code shall be paid from the county treasuries, except that when an election is called by the governing body of a city the expenses shall be paid from the treasury of the city. All payments shall be made in the same manner as other county or city expenditures are made. The elections official, in providing the materials required by this division, need not utilize the services of the county or city purchasing agent.

(b) All expenses authorized and necessarily incurred on or after ~~October~~ January 1, 2009, and before ~~February 1~~ December 31, 2010, in the preparation for and conduct of elections proclaimed by the Governor to fill a vacancy in the office of Senator or Member of the Assembly, or to fill a vacancy in the office of United States Senator or Representative in the Congress of the United States, shall be paid by the state.

(c) This section shall remain in effect only until January 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2011, deletes or extends that date.

SEC. 2. Section 13001 is added to the Elections Code, to read:

13001. (a) All expenses authorized and necessarily incurred in the preparation for, and conduct of, elections as provided in this code shall be paid from the county treasuries, except that when an election is called by the governing body of a city the expenses shall be paid from the treasury of the city. All payments shall be made in the same manner as other county or city expenditures are made. The elections official, in providing the materials required by this division, need not utilize the services of the county or city purchasing agent.

(b) This section shall become operative on January 1, 2011.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to relieve counties of responsibility for expenses incurred in-for the preparation and conduct of certain elections proclaimed

- 1 by the Governor for specified purposes, it is necessary that this
- 2 bill go into immediate effect.

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